

**From:** [Brodzik, James M.](#)  
**To:** [David Smith](#); [Carly D. Glantz](#)  
**Cc:** [Ryan, Daniel K.](#)  
**Subject:** FW: Cupp v United and EviCore  
**Date:** Friday, March 29, 2024 9:49:45 AM

---

Below is the consent to removal email.

**James M. Brodzik**  
Partner-In-Charge St. Louis Office  
**Hinshaw & Culbertson LLP**

[JBrodzik@hinshawlaw.com](mailto:JBrodzik@hinshawlaw.com)  
[My Bio | hinshawlaw.com](#)

*St. Louis Office* | 701 Market Street, Suite 260, St. Louis, MO 63101  
**O:** 618-310-2325 | **F:** 314-241-7428

*Belleville Office* | 521 West Main Street, Suite 300, Belleville, IL 62220  
**O:** 618-310-2325 | **F:** 314-241-7428

Follow us on



#TeamHinshaw  
Proud 5.0 and 6.0  
certified law firm



Mansfield Rule  
Certified 2022-2023

---

**From:** Boone, Brian <[Brian.Boone@alston.com](mailto:Brian.Boone@alston.com)>  
**Sent:** Thursday, March 28, 2024 7:54 PM  
**To:** Ryan, Daniel K. <[dryan@hinshawlaw.com](mailto:dryan@hinshawlaw.com)>; Sims, S JnateL <[jnatel\\_sims@uhc.com](mailto:jnatel_sims@uhc.com)>; Brodzik, James M. <[JBrodzik@hinshawlaw.com](mailto:JBrodzik@hinshawlaw.com)>; Burstein, Steven <[steven\\_m\\_burstein@uhc.com](mailto:steven_m_burstein@uhc.com)>; McGowan, Emily <[Emily.McGowan@alston.com](mailto:Emily.McGowan@alston.com)>; Metcalf, Will <[Will.Metcalf@alston.com](mailto:Will.Metcalf@alston.com)>  
**Subject:** Re: Cupp v United and EviCore

Privileged

## EXHIBIT D

Daniel:

Thanks for sending. We agree on removal. I know that you say in the notice that you don't need other defendants' consent, but you have our consent in any case.

We may file our own supplemental removal notice later. If we do, we'll send you a draft.

Brian D. Boone  
ALSTON & BIRD  
Vantage South End

1120 South Tryon Street

Suite 300

Charlotte, NC 28203-6818

+1 704 444 1106 (office)

+1 704 441 1959 (mobile)

[brian.boone@alston.com](mailto:brian.boone@alston.com)

---

From: Ryan, Daniel K. <[dryan@hinshawlaw.com](mailto:dryan@hinshawlaw.com)>  
Sent: Thursday, March 28, 2024 6:57:20 PM  
To: Burstein, Steven M <[steven\\_m\\_burstein@uhc.com](mailto:steven_m_burstein@uhc.com)>; Boone, Brian <[Brian.Boone@alston.com](mailto:Brian.Boone@alston.com)>; Sims, S Jnatel <[jnatel\\_sims@uhc.com](mailto:jnatel_sims@uhc.com)>; Brodzik, James M. <[JBrodzik@hinshawlaw.com](mailto:JBrodzik@hinshawlaw.com)>  
Subject: RE: RE: Cupp v United and EviCore

EXTERNAL SENDER – Proceed with caution

---

Hi Jnatel and Brian. Please see the attached Notice of Removal that we plan to file tomorrow, Friday. We welcome a call at your earliest convenience. Thanks. Dan

Daniel K. Ryan  
Partner/Management Committee  
Hinshaw & Culbertson LLP  
151 North Franklin Street, Suite 2500, Chicago, IL 60606

O: 312-704-3248 | F: 312-704-3001

[dryan@hinshawlaw.com](mailto:dryan@hinshawlaw.com)<mailto:dryan@hinshawlaw.com>

My Bio<<https://www.hinshawlaw.com/professionals-Daniel-Ryan.html>> |

[hinshawlaw.com](http://www.hinshawlaw.com)<<http://www.hinshawlaw.com>>

Follow us on

[Hinshaw LinkedIn Page]

<[https://urldefense.com/v3/\\_https://www.linkedin.com/company/17618\\_](https://urldefense.com/v3/_https://www.linkedin.com/company/17618_);!!DSW8GXjB\_Alhxt\_iwsTS!WID0bJ3ozJFW3nLWrf\_xsmlsfyrNtRRnkUsUBxWxNec-t9S\_ZRjo\_STL4KGEYyYfygPnQ65n0cy\_eMC9\_dq\_NgG9\$> [Hinshaw Facebook Page]

<[https://urldefense.com/v3/\\_https://www.facebook.com/hinshawlaw\\_](https://urldefense.com/v3/_https://www.facebook.com/hinshawlaw_);!!DSW8GXjB\_Alhxt\_iwsTS!WID0bJ3ozJFW3nLWrf\_xsmlsfyrNtRRnkUsUBxWxNec-t9S\_ZRjo\_STL4KGEYyYfygPnQ65n0cy\_eMC9\_Yd6k9si\$> [Hinshaw Twitter Page]

<[https://urldefense.com/v3/\\_https://twitter.com/hinshaw\\_](https://urldefense.com/v3/_https://twitter.com/hinshaw_);!!DSW8GXjB\_Alhxt\_iwsTS!WID0bJ3ozJFW3nLWrf\_xsmlsfyrNtRRnkUsUBxWxNec-t9S\_ZRjo\_STL4KGEYyYfygPnQ65n0cy\_eMC9\_VIL\_O-\$>

[Hinshaw & Culbertson LLP]<<http://www.hinshawlaw.com/>>

From: Burstein, Steven M <[steven\\_m\\_burstein@uhc.com](mailto:steven_m_burstein@uhc.com)>

Sent: Wednesday, March 27, 2024 5:27 PM

To: Ryan, Daniel K. <[dryan@hinshawlaw.com](mailto:dryan@hinshawlaw.com)>; Boone, Brian <[Brian.Boone@alston.com](mailto:Brian.Boone@alston.com)>; Sims, S Jnatel <[jnatel\\_sims@uhc.com](mailto:jnatel_sims@uhc.com)>; Brodzik, James M. <[JBrodzik@hinshawlaw.com](mailto:JBrodzik@hinshawlaw.com)>

Subject: Cupp v United and EviCore

Brian and Jnatel- I am connecting you via email with Dan and James from Hinshaw who are representing EviCore. They wanted to connect about possible removal.

Thanks. -Steve Steven M. Burstein Deputy General Counsel UnitedHealthcare 9700 Health

Brian and Jnatel-

I am connecting you via email with Dan and James from Hinshaw who are representing EviCore. They wanted to connect about possible removal. Thanks. - Steve

Steven M. Burstein

Deputy General Counsel

UnitedHealthcare

9700 Health Care Lane

MN017-E300

Minnetonka, MN 55343

952-979-5685 | [steven\\_m\\_burstein@uhc.com](mailto:steven_m_burstein@uhc.com)<mailto:steven\_m\_burstein@uhc.com>

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or intended recipient's authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

Hinshaw & Culbertson LLP is an Illinois registered limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act (1997).

The contents of this e-mail message and any attachments are intended solely for the addressee(s) named in this message. This communication is intended to be and to remain confidential and may be subject to applicable attorney/client and/or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and its attachments. Do not deliver, distribute or copy this message and/or any attachments and if you are not the intended recipient, do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments.

---

NOTICE: This e-mail message and all attachments may contain legally privileged and confidential information intended solely for the use of the addressee. If you are not the intended recipient, you are hereby notified that you may not read, copy, distribute or otherwise use this message or its attachments. If you have received this message in error, please notify the sender by email and delete all copies of the message immediately.